

### Remarks

In the 01/29/2010 office action, Claims 1 - 6 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 to 7 of U. S. Patent No. 6,787,603. Claims 1 to 6 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 to 11 and 19-20 of co-pending Application No. 10/552,537.

Applicant submitted terminal disclaimers in compliance with 37 CFR 1.32(c) or 1.321(d) to overcome these rejections (see 05/27/2010 reply).

Applicant was informed by a phone message from Examiner Venkat on 08/30/2010 that the filed terminal disclaimers were disapproved, asserting that the person who signed the terminal disclaimers does not have POA.

Applicant believes the terminal disclaimers were proper, and the present agent of record has Power of Attorney to represent the Assignee of the present application as evidenced by the official record in the USPTO's **Patent Application Information Retrieval** system and the Power of Attorney as filed with the PCT application.

Nevertheless to expedite processing of the present application, Applicant provides copies herein of the Assignments, and Power of Attorney documents, as previously submitted in the present application. Furthermore, Applicant provides the following statements to insure compliance with CFR 3.73(b).

Application 10/552204 has been assigned to Dow Corning Corporation, as evidenced by the recordation on 10/06/2005 (reel/frame 017851/0149).

Alan Zombeck has been granted general Power of Attorney to represent Dow Corning Corporation related to patent matters before the USPTO (see General Power of Attorney dated 14<sup>th</sup> March, 2002).

Applicant further re-submits herein the two terminal disclaimers, as filed on 05/27/2010.

Applicant does not believe any fees are necessary at this time. However, Applicant authorizes the USPTO to charge deposit account 04-1520 for any fees that should be necessary to maintain the pendency of the application.

In view of the above, it is respectfully submitted that the claims are in condition for allowance. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

**DOW CORNING CORPORATION**

/Alan Zombeck/

Alan Zombeck  
Registration No. 45,260  
Telephone No. (989) 496-3101